

Osgoode Hall, Toronto

[no 2]

REPORT OF THE PRINCIPAL OF THE LAW SCHOOL,
1890-91.

THE LAW SCHOOL, OSGOODE HALL,
Toronto, May 18th, 1891.

CHARLES MOSS, Esq., Q.C.,

*Chairman of the Legal Education Committee Law
Society of Upper Canada.*

DEAR SIR,—I have the pleasure of reporting the completion of a successful Term of the Law School, being the second year of its existence, but the first year of its three years course of lectures and study.

The number of students on the roll during the term was 161, of which number 33 belonged to the first year, 64 to the second year, and 64 to the third year.

The average attendance was 143.

Some fourteen of the students in attendance attended voluntarily, having taken advantage of Rules 164 (g) and 164 (h), and elected to attend the lectures, and to pass the school examination instead of that held under the former and existing curriculum of the Law Society.

One of the number was a resident of British Columbia studying for the Bar of that Province. Availing himself of the permission of the Benchers to students of other provinces to attend the school, he attended the second year's lectures, the Benchers in British Columbia having agreed to accept his attendance here, in lieu of service there for the same period.

The total number of lectures appears by the record to have been 740, of which 255 were given by the Principal; 140 by Mr. E. Douglas Armour, Q.C.; 100 by Mr. A. H. Marsh, Q.C.; 122 by Mr. R. E. Kingsford; and 123 by Mr. P. H. Drayton.

The number of Lectures in the different subjects was as follows:

FIRST YEAR.

Subject.	Lecturer.	Number of Lectures.
Contracts	The Principal	72
Real Property	Mr. Armour	82
Equity	Mr. Marsh	43
Common Law	Mr. Drayton	64
		241

SECOND YEAR.

Subject.	Lecturer.	Number of Lectures.
Contracts	The Principal	39
Torts	The Principal	36
Criminal Law	The Principal	34
Real Property	Mr. Armour	26
Equity	Mr. Marsh	22
Evidence	Mr. Kingsford	27
Practice and Procedure	Mr. Kingsford	31
Can. Const. History and Law ..	Mr. Drayton	19
Personal Property	Mr. Drayton	28
		262

THIRD YEAR.

Subject.	Lecturer.	Number of Lectures.
Contracts	The Principal	22
Torts	The Principal	23
Criminal Law	The Principal	18
Private International Law	The Principal	11
Real Property	Mr. Armour	34
Canadian Constitutional Law ..	Mr. Armour	18
Equity	Mr. Marsh	23
Practice and Procedure	Mr. Marsh	34
Evidence	Mr. Kingsford	24
Construction of Statutes	Mr. Drayton	12
Commercial Law	Mr. Kingsford	40
		259

The twenty-two lectures on Equity in the Second Year were given to the Students of the First and Second years combined, which accounts for the number of lectures delivered by Mr. Marsh being smaller than that of the other lecturers.

The lecture hours throughout the Term were 9 a.m., 3.30 p.m., and 4.30 p.m. These hours were selected as on the whole the most convenient for those students who desired to serve in offices. I think they have proved to be so and propose to adopt them for next Term.

In order to give as practical a character as possible to the lectures on Practice and Procedure in the Third year, Mr. Marsh adopted the plan of holding chambers from day to day, at which motions were made and opposed by members of the class. The usual papers were prepared, served

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and filed, and the other ordinary steps taken as in actual practice, subject to such modifications as were necessary to economize the limited time at disposal. I believe good results were thus obtained, and look for still better in future.

The interest manifested by the students in the exercises of the Moot Court, the industry displayed in the preparation of the cases, and the visible improvement in argument have so far fully met my expectations of great benefit from this mode of instruction.

With some few slight changes in matters of detail I propose to adopt the same general scheme for the lectures and exercises of the next term as that of the one which has just ended.

By the combined effect of the Statute and the Rules relating to the Law School most of those students not being graduates, who are required to attend during the full course of three years in the School cannot attend the First year's lectures until the third year of their period of service and cannot present themselves for their First Intermediate Examination until the end of such Third year, instead of at the beginning of that year as they have been heretofore entitled to do under the former rules.

I have a strong impression that it would be more advantageous to such students to attend the First year's lectures and pass the First Intermediate Examination at an earlier stage. The First year is the portion of the student's service in which he has the least opportunity of acquiring knowledge from office work. This of course is largely due to his inability to appreciate the meaning and effect of what is going on in the office. But the instruction which the School imparts may be as usefully received during this period as at a later one. If then the student were during this early stage acquiring in the School a knowledge of the principles which underlie the proceedings of the office he could at the end of the term enter upon his office duties with an intelligent appreciation which would I think greatly facilitate the acquisition of that kind of knowledge which office training is designed to convey, while at the same time there would be a corresponding addition to his usefulness in the office, I have no doubt also that special means could be devised of imparting some practical training in the lecture-room, directly preparing him for the chief duties which ordinarily await him in the office.

It seems to me, therefore, that if the law were so altered as to give to students who are compelled to serve for five

years, and to attend during three terms in the School, the option of doing so in the first or second, instead of the third year of the five, and of passing the First Intermediate Examination at the end of such first or second year, it would be a substantial improvement on the present plan. And I further believe it would result in a considerable increase in the number of those who, being exempt from attendance on the first year's lectures, elect to attend them.

The expiration of the term has raised no doubts as to the general excellence of our curriculum, or the adaptation of the text-books (with one or two exceptions) to the needs of the student. There are, however, one or two exceptions to the rule. Dart's work on Vendors and Purchasers is too voluminous and too expensive for a student's text-book; and as we now have in Clerke and Humphrey's book on the same subject one which, while free from those serious objections, is in other respects suitable, and in every way sufficient for our purposes, I would recommend that it be substituted for Dart's work in the third year of the course.

I think also that Deane's Principles of Conveyancing might be profitably transferred from the second year's work to that of the first year. The number of subjects in the first year being only four as against nine in the second year, allows a large number of lectures on each subject, affording ample time to the lecturer to deal with the subject of Conveyancing along with the present Real Property work, that of Leith's Williams which of itself in fact hardly requires the number of lectures devoted to it. The subject of conveyancing, too, is one in the principles of which it is well for the student to become versed as early in his course as possible.

These two changes are recommended by the Real Property Lecturer.

I also agree with the Equity Lecturer in thinking that Lewin on Trusts is not altogether suitable for a student's text-book, and that the smaller work of Underhill would answer the purpose better.

If some arrangement could be made for the delivery of a few lectures during the School Term by leading members of the Bar, I am sure it would be highly appreciated by the students, and would be a source of lasting benefit to them.

It is of course impossible to state with any degree of certainty the number of students who will be in attendance

during the coming term but I think it probable that there will be about 200. Owing to the fact that students who are serving outside of Toronto are not required to attend the first year's course of lectures, the size of the first year class may be expected to be as in the past term only about half that of either of the other two classes. For some of the lectures on Equity and also for the weekly Moot Court the first and second year classes were united last term, and I propose the same plan for next term. The dimensions of the two lecture-rooms on the ground floor of the new building will, I think, be admirably adapted for all the lectures to be delivered before one class only. They are designed to seat at least 100, and I suppose by utilizing all the available space will comfortably contain 120 students each, a number which I do not see any reason to anticipate any one class will reach. And, unless there should be a very considerable increase in the number of the first and second year classes over those of last term either of those two rooms will accommodate the two classes for those lectures in which they are united. Should the numbers, however, be largely in excess of our expectations it may be necessary to resort for these special purposes to the third lecture-room for which space is to be reserved in the third storey of the building, and which should, I think, be considerably larger than either of the other two—large enough at all events to seat any two of the three classes. On the rare occasions on which we may require to assemble all the students of the school in one room the Convocation Hall could be used.

In this connection I may mention the question of the plan of seating to be adopted for the lecture-rooms. This is a matter which will no doubt involve a good deal of care and consideration in view of the necessity of accommodating as large a number in the space allotted as comfort and convenience will permit. The one suggestion which I desire to make at present is that whatever the description of the seats may be in other respects they should be stationary. This is a point which is material in relation to the good order essential in the classes, and experience shows that movable chairs have very objectionable features.

I would venture to suggest that the dedication of the new building might be fittingly accompanied by the bestowal of some distinctive name upon the institution,

the appellation of "The Law School," being somewhat vague, particularly to those who may desire to know us outside the limits of our own Province.

In conclusion I may add, that from what has already been accomplished in the short period of the School's existence, I feel that we have reasonable grounds for looking forward with hope and confidence to a prosperous future.

Your obedient servant,

(Signed), W. A. REEVE,

Principal.

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